

(continued)

4. Based on current statistics, the 274 vehicles forfeited will bring in an average of \$1,070 when sold or auctioned for a total of \$293,180. Expenses for processing the vehicles to the point of sell average \$510 each to tow (\$70), store (\$240), and sell (\$200). So, 274 vehicles times \$510 equals \$139,740.
5. Revenues of \$293,180 minus the expense of \$139,740 equals \$153,440 net.
6. County attorneys and judges base these figures on 100% enforcement of the forfeiture.
7. These revenues are based on the assumption that the judges will forfeit the vehicles where MHP officers have issued the citation to the MHP, instead of to the counties, which is the current practice.
8. Currently, far less than 100% compliance for third or subsequent offense DUI vehicles are forfeited.
9. Revenues from the sale of forfeited vehicles are placed in the state special drug forfeiture fund. Per statute, 44-12-206(3)(b), MCA, proceeds in excess of \$125,000 received by the state must be deposited equally between the state special revenue account and the general fund. Since revenues are not easily estimated in the forfeiture account, it is assumed that the revenue from the forfeitures from this bill will be deposited in the general fund. As such, funding for the expenses should come from the general fund.

FISCAL IMPACT:

	<u>FY2002</u> <u>Difference</u>	<u>FY2003</u> <u>Difference</u>
<u>Expenditures:</u>		
Operating Expenses	139,740	139,740
<u>Funding:</u>		
General Fund (01)	139,740	139,740
<u>Revenues:</u>		
General Fund (01)	293,180	293,180
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	153,440	153,440

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Local governments, if they issue citations for DUI, and meet the criteria in HB 396 could incur the same types of revenues and expenses.